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In re Application of : DECISION ON RENEWED
THOMSON, et al. :
Application No.: 09/446,379 :
PCT No.: PCT/GB/01882 : PETITION UNDER 37 CFR 1.182
Int. Filing Date: 26 June 1998 :
Priority Date: 26 June 1997 :
Attorney Docket No.: P06597/USO/MP :
For: CELL CULTURE PRODUCTS :

This decision is in response to applicant's "Renewed Petition Under 37 CFR 1.182" filed in the United States Patent and Trademark Office (USPTO) on 03 October 2000.

BACKGROUND

On 11 February 2000, applicants filed a second transmittal letter for the application which included a declaration signed by the inventors and the appropriate \$130.00 surcharge for filing an oath or declaration later than 30 months from the earliest claimed priority date as required by 37 CFR 1.492(e). However, in studying the declaration presented it was determined that the name for inventor Sharon Dawn MALTMAN was a different name than on the International Application in which she is listed as Sharon Dawn WINTER. Inventor's signature with her new name was construed to be a petition under 37 CFR 1.182.

On 03 August 2000, applicants were mailed a decision dismissing applicants' petition under 37 CFR 1.182 as applicants had not provided an affidavit signed with both names setting forth the procedure whereby the change of name was effected, or a certified copy of the court order. The \$130.00 petition fee was charged to Deposit Account 12-0555 as authorized.

On 03 October 2000, applicants responded with the present petition.

DISCUSSION

Accompanying the present petition applicant has included a declaration signed by the joint inventor Sharon Dawn MALTMAN. This declaration details the procedure whereby the change of name was effected, namely by marriage, and is signed by Mrs. Maltman in both her married name and earlier single name (Sharon Dawn WINTER). This declaration is an acceptable form of documentation.

CONCLUSION

For the reasons above, the renewed Petition Under 37 CFR 1.182 is **GRANTED**.

The application has an international filing date of **26 June 1998** and will be given a date of **11 February 2000** under 35 U.S.C 371(c).

This application is being returned to the DO/EO/US for processing in accordance with this decision, i.e. recording the subject joint inventor as Sharon Dawn MALTMAN.



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